

**BEFORE THE UNITED STATES JUDICIAL PANEL
ON MULTIDISTRICT LITIGATION**

IN RE TEXAS PRISON HEAT
LITIGATION

§
§
§
§

MDL Docket No. _____

**EXHIBIT 16 TO MOTION OF DEFENDANTS FOR TRANSFER
OF ACTIONS TO THE SOUTHERN DISTRICT OF TEXAS PURSUANT
TO 28 U.S.C. § 1407 FOR COORDINATED OR CONSOLIDATED
PRETRIAL PROCEEDINGS**

**FEDERAL COURT MANAGEMENT STATISTICS
FOR SOUTHERN AND EASTERN DISTRICTS OF TEXAS**

TEXAS SOUTHERN			U.S. District Court — Judicial Caseload Profile						Numerical Standing Within	
			12-Month Periods Ending							
Overall Caseload Statistics			Sep 30 2009	Sep 30 2010	Dec 31 2010	Dec 31 2011	Dec 31 2012	Dec 31 2013	U.S.	Circuit
	Filings ¹		15,927	17,835	18,788	16,058	15,024	15,130		
	Terminations		14,221	17,052	17,283	17,156	15,050	15,115		
	Pending		11,614	12,280	12,871	11,794	11,784	11,891		
	Percent Change in Total Filings Current Year Over Earlier Year		-5.0	-15.2	-19.5	-5.8	0.7		43	4
Number of Judgeships			19	19	19	19	19	19		
Vacant Judgeship Months ²			7.0	32.2	42.7	36.2	15.8	34.0		
Actions per Judgeship	Filings	Total	838	939	989	845	791	796	7	2
		Civil	298	347	394	345	300	312	53	6
		Criminal Felony	463	485	484	395	382	375	4	2
		Supervised Release Hearings	77	106	112	105	109	109	6	2
	Pending Cases		611	646	677	621	620	626	16	4
	Weighted Filings ²		598	680	725	599	575	583	23	5
	Terminations		748	897	910	903	792	796	6	2
	Trials Completed		21	28	30	31	27	26	18	2
	Median Time (Months)	From Filing to Disposition	Criminal Felony	4.4	4.6	4.7	4.6	4.7	4.9	5
Civil ²			6.9	6.3	6.1	7.4	7.5	6.8	13	3
From Filing to Trial ² (Civil Only)		19.0	19.8	19.5	19.9	20.1	20.9	19	5	
Other		Number (and %) of Civil Cases Over 3 Years Old ²		152 3.3	156 3.1	187 3.2	364 6.8	376 8.0	400 8.2	62
	Average Number of Felony Defendants Filed per Case		1.1	1.2	1.2	1.2	1.2	1.2		
	Jurors	Avg. Present for Jury Selection	50.3	48.2	48.6	52.4	52.9	51.6		
		Percent Not Selected or Challenged	38.9	36.3	36.5	42.5	42.1	38.7		

2013 Civil Case and Criminal Felony Defendant Filings by Nature of Suit and Offense

Type of	Total	A	B	C	D	E	F	G	H	I	J	K	L
Civil	5,935	99	108	1,258	56	573	618	1,116	531	126	562	6	882
Criminal ¹	7,116	568	768	4,980	206	222	69	81	8	14	36	80	84

NOTE: Criminal data in this profile count defendants rather than cases and therefore will not match previously published numbers.

¹ Filings in the "Overall Caseload Statistics" section include criminal transfers, while filings by "Nature of Offense" do not.

² See "Explanation of Selected Terms."

TEXAS EASTERN			U.S. District Court — Judicial Caseload Profile						Numerical Standing Within	
			12-Month Periods Ending							
Overall Caseload Statistics			Sep 30 2009	Sep 30 2010	Dec 31 2010	Dec 31 2011	Dec 31 2012	Dec 31 2013	U.S.	Circuit
	Filings ¹		4,259	4,184	4,452	4,366	4,683	5,330		
	Terminations		3,995	3,767	3,638	4,237	4,217	4,928		
	Pending		4,018	4,430	4,834	4,974	5,416	5,790		
	Percent Change in Total Filings Current Year Over Earlier Year		25.1	27.4	19.7	22.1	13.8		13	2
Number of Judgeships			8	8	8	8	8	8		
Vacant Judgeship Months ²			0.0	8.9	12.0	14.1	21.5	24.0		
Actions per Judgeship	Filings	Total	532	523	557	546	585	666	14	4
		Civil	399	374	409	402	444	511	12	3
		Criminal Felony	134	149	147	144	141	154	14	3
		Supervised Release Hearings	0	1	0	0	1	2	94	9
	Pending Cases		502	554	604	622	677	724	10	2
	Weighted Filings ²		594	683	806	777	1,137	1,317	3	1
	Terminations		499	471	455	530	527	616	22	3
	Trials Completed		22	22	20	18	16	19	48	7
	Median Time (Months)	From Filing to Disposition	Criminal Felony	9.9	9.8	10.1	11.4	12.2	12.0	73
Civil ²			10.8	9.6	9.5	9.0	9.6	8.9	44	5
From Filing to Trial ² (Civil Only)		25.0	21.7	24.0	23.9	24.8	20.8	18	4	
Other	Number (and %) of Civil Cases Over 3 Years Old ²		116 4.0	141 4.6	180 5.3	192 5.6	185 4.9	231 6.0	50	7
	Average Number of Felony Defendants Filed per Case		2.0	2.0	1.9	2.0	2.0	2.2		
	Jurors	Avg. Present for Jury Selection	40.5	42.7	42.0	41.1	37.1	36.1		
		Percent Not Selected or Challenged	38.7	38.0	34.6	35.1	33.0	31.9		

2013 Civil Case and Criminal Felony Defendant Filings by Nature of Suit and Offense

Type of	Total	A	B	C	D	E	F	G	H	I	J	K	L
Civil	4,084	133	65	1,180	32	209	141	213	177	1,555	217	3	159
Criminal ¹	1,224	47	602	103	130	179	27	69	4	13	3	6	41

NOTE: Criminal data in this profile count defendants rather than cases and therefore will not match previously published numbers.

¹ Filings in the "Overall Caseload Statistics" section include criminal transfers, while filings by "Nature of Offense" do not.

² See "Explanation of Selected Terms."